

Judge Hellerstein

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

ORIGINAL

UNITED STATES OF AMERICA

- v. -

GUSTAV KLOSZEWSKI,
a/k/a "Gus,"

Defendant.

INDICTMENT

16 CRIM 200

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #:
DATE FILED: **MAR 10 2016**

COUNT ONE

(Firearms Trafficking Conspiracy)

The Grand Jury charges:

1. From at least in or about February 16, 2016, up to and including at least on or about February 26, 2016, in the Southern District of New York and elsewhere, GUSTAV KLOSZEWSKI, a/k/a "Gus," the defendant, and others known and unknown, willfully and knowingly did combine, conspire, confederate and agree together and with each other to commit an offense against the United States, to wit, trafficking in firearms in violation of Title 18, United States Code, Section 922(a)(1)(A).

2. It was a part and an object of the conspiracy that GUSTAV KLOSZEWSKI, a/k/a "Gus," the defendant, and others known and unknown, not being licensed importers, licensed manufacturers, or licensed dealers of firearms within the meaning of Chapter 44, Title 18, United States Code, would and did willfully and knowingly engage in the business of dealing in firearms, and in the course of such

business would and did ship, transport, and receive firearms in interstate and foreign commerce, in violation of Title 18, United States Code, Section 922(a)(1)(A).

OVERT ACTS

3. In furtherance of said conspiracy and to effect the illegal object thereof, the following overt act, among others, were committed in the Southern District of New York and elsewhere:

a. On or about February 16, 2016, co-conspirators of GUSTAV KLOSZEWSKI, a/k/a "Gus," the defendant, transported a firearm from Florida to the Bronx, New York for the purpose of illegally selling the firearm.

(Title 18, United States Code, Section 371.)

COUNT TWO
(Firearms Trafficking)

The Grand Jury further charges:

4. From at least on or about February 16, 2016, up to and including at least on or about February 26, 2016, in the Southern District of New York and elsewhere, GUSTAV KLOSZEWSKI, a/k/a "Gus," the defendant, not being a licensed importer, licensed manufacturer, or licensed dealer of firearms within the meaning of Chapter 44, Title 18, United States Code, did willfully and knowingly engage in the business of dealing in firearms, and in the course of such business did ship, transport, and receive firearms in interstate and foreign commerce, to wit, the defendant aided and abetted the transportation

of firearms from Florida to New York for the purpose of illegally selling the firearms.

(Title 18, United States Code, Sections 922(a)(1)(A), 924(n) and 2.)

COUNT THREE

(Interstate Transportation of Firearms)

The Grand Jury further charges:

5. On or about February 16, 2016, in the Southern District of New York and elsewhere, GUSTAV KLOSZEWSKI, a/k/a "Gus," the defendant, not being a licensed importer, licensed manufacturer, licensed dealer or licensed collector of firearms within the meaning of Chapter 44, Title 18, United States Code, willfully and knowingly did transfer, sell, trade, give, transport, and deliver firearms to another individual, said person not being a licensed importer, licensed manufacturer, licensed dealer or licensed collector of firearms within the meaning of Chapter 44, Title 18, United States Code, and knowing and with reasonable cause to believe that said person was not then residing in the State of Florida, the State in which the defendant was residing at the time of the aforesaid transfer, sale, trade, giving, transportation, and delivery of the firearms, to wit, the defendant aided and abetted the transportation of firearms from Florida to New York for the purpose of illegally selling the firearms.

(Title 18, United States Code, Sections 922(a)(5) and 2.)

FORFEITURE ALLEGATION

6. As a result of committing the firearms trafficking offense alleged in Count Two of this Indictment, GUSTAV KLOSZEWSKI, a/k/a "Gus," the defendant, shall forfeit to the United States, pursuant to Title 18, United States Code, Section 981(a)(1)(C) and Title 28, United States Code, Section 2461(c), any property, real or personal, that constitutes or is derived from proceeds traceable to the offense alleged in Count Two of this Indictment.

Substitute Asset Provision


7. If any of the above described forfeitable property, as a result of any act or omission of the defendants:

- a. cannot be located upon the exercise of due diligence;
- b. has been transferred or sold to, or deposited with, a third person;
- c. has been placed beyond the jurisdiction of the Court;
- d. has been substantially diminished in value; or
- e. has been commingled with other property which cannot be subdivided without difficulty;

it is the intent of the United States, pursuant to Title 21, United States Code, Section 853(p) and Title 28, United States Code, Section 2461(c), to seek forfeiture of any other property of said defendant up to the value of the above forfeitable property.

(Title 18, United States Code, Sections 981,
Title 21, United States Code, Section 853(p), and
Title 28, United States Code, Section 2461.)


FOREPERSON


PREET BHARARA
United States Attorney

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INDICTMENT

16 Cr.

(18 U.S.C. §§ 371, 922(a)(1)(A), 922(a)(5),
924(n), and 2.)

PREET BHARARA
United States Attorney.

A TRUE BILL

Foreperson.

Joseph A. Villani Sr.

3/10/16 - Filed Indictment
agc Case assigned to J. Heller
6 1/5/16
RSM